

MINUTES OF REGULAR MEETING HELD MAY 26, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 26, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

ABSENT: None

Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom

FLAG SALUTE

PRESENTATIONS

Administrator's Update

- Informed residents that Union County announced awards in connection with its Infrastructure and Municipal Aid Grant program and stated that Westfield was awarded \$97,500 to be allocated toward the paving of North Chestnut Street. In addition, the Town is expected to receive funds through state aid for the paving of a large section of Scotch Plains Avenue. Informed residents that these two roads would be paved in 2020 and that Councilman Contract would discuss the 2020 Road Paving Program later this evening during a report of the Public Works Committee;
- Provided an update of improvements to Mindowaskin Park and stated that pathway improvements were completed, and restoration at the edge of the pathways, which included grass seed planting, was also completed. In addition, Park Drive has been milled however some issues were discovered after the road was milled which has delayed paving. Those issues have been addressed and paving is expected to be completed next week. Lastly, stated that installation of a concrete pad and pavers was completed for an ADA accessible fountain and a dog fountain which were donated by Columbia Bank and gifted by the Friends of Mindowaskin Park to the Town of Westfield. At this point, the Town is waiting for utility approval to dig the trenches needed for plumbing installation, which is anticipated to begin the week of June 8, 2020. This would be one of the last installations for the park, followed by a clean up by the Department of Public Works;
- Provided an update of tax collection and stated that as of today, 91.5% of taxes have been collected, compared to this date last year in which 94.6% of taxes were collected. Feels the Town is doing very well with its second quarter collection, especially due to the fact that the grace period for this quarter's payments was extended to June 1, whereas the typical grace period for tax payments ends on the 10th of the month. Mentioned that more payments were received today, and more are expected by the deadline of June 1. Thanked residents for their timely payments and for utilizing the drop boxes and the Town's website to submit their payments. Stated that there would be more to report to the Finance Policy Committee by the end of the week.

Mayor's Remarks:

- Thanked those who have joined the meeting virtually and reminded all that public comment would only be accepted via Zoom, with live streaming for viewing only on Facebook. A replay of the meeting would also be available on Facebook, YouTube, and TV 36. Mentioned that for those who receive her regular COVID-19 emails, her comments tonight would also serve as today's update;
- Provided an update of COVID-19 and announced that as of May 26, there were 155,764 confirmed cases of COVID-19 in New Jersey, with another 1,083 still under

investigation. Currently, Union County reports 15,293 cases, with Westfield reporting no new cases since the last update on Friday, May 22, keeping Westfield's total at 274. The Town was advised that, due to the holiday weekend and a temporary system outage, the numbers that were reported today might be low. If they are accurate, it would mean that Westfield has had only five confirmed community cases (non-long-term care) in the last two weeks, two of which came in the past week, and zero in the last four days. Feels this preliminary four-day trend is extremely encouraging news and a reflection of the community's commitment and adherence to social distancing. Informed residents that, as always, a more detailed breakdown of statewide numbers is available online at the NJ Department of Health COVID-19 Dashboard;

- Provided an update of state issues related to COVID-19 and stated that Governor Murphy reported that the key metrics from New Jersey's hospitals continue to move in the right direction. Since the peak, new hospitalizations are down 84%, patients in hospitals are down 67%, ICU patients are down 63%, and patients on ventilators are down 66%. Cases at long term care facilities also continue to decline, which is another encouraging trend. In addition, the Governor also announced that outdoor graduation ceremonies would be permitted after July 6 with specific social distancing requirements to be provided tomorrow. Stated that the Town has been in touch with the Board of Education throughout the last several weeks regarding potential graduation alternatives, and continues to extend an offer to provide any necessary assistance they need to honor the Westfield High School Class of 2020, which includes the delivery of graduation signs tomorrow. Further, professional sports teams in New Jersey may return to training and competition if their leagues choose to move in that direction, provided the necessary health protocols remain in place. This is, however, different from organized youth sports, which have not yet been approved to proceed;
- Announced that in other state news, the Federal Railroad Administration is awarding \$91.5 million to Amtrak and NJ Transit to move the Portal Bridge project forward. Feels this is a substantial step toward building infrastructure improvements to support commuters and economic development across the region;
- Thanked everyone who contributed to last week's food drive for the Westfield Food Pantry. Stated that over 500 vehicles dropped off over 2,000 bags of food. Additionally, over \$18,000 in cash donations was collected. Feels it was an incredible collaborative effort between the Westfield Police Department, the public school district, the ministerium, and the Westfield United Fund and exceeded all expectations;
- Thanked the Martin Wallberg American Legion Post 3 for hosting a beautiful and solemn Memorial Day service at Monument Circle yesterday morning. Although having the public in attendance and the annual parade that typically follows were missed, feels it was a fitting tribute to those that paid the ultimate sacrifice. Extended a special thanks to Police Chaplain Keith Gibbons for his role in organizing the service;
- Announced that the Recreation Department continues to make preparations to open Memorial Pool when the Town is permitted to do so. Today, it was announced that the start of the 2020 season would be delayed past the scheduled date of June 6 to allow for proper accommodations to be made to address all social distancing requirements. Once this guidance is finalized, it would likely take several weeks to implement all related protocols, and residents would be informed as soon as a final opening date is determined. In addition, due to these unusual circumstances, pool registration would be open on a rolling basis, with no deadline in place, until membership is sold out. At this time, registration for swim lessons and swim team are postponed until further notice. In addition, the Recreation Commission plans to discuss ongoing questions from the community regarding pro-rated refunds and full refund deadlines at its meeting next week, with more details to follow. Extended her thanks to the Pool Committee and the Recreation Commission for their ongoing efforts to adapt and anticipate solutions in these unprecedented times;
- Discussed tonight's agenda and announced that an ordinance would be introduced out of the Code Review and Town Property Committee to provide for the implementation of a five-year tax exemption and abatement law for the recently designated area in need of rehabilitation in Downtown Westfield. This follows the recent designation of the Downtown Special Improvement District as an area in need of rehabilitation, an action that was taken following input from downtown property owners and businesses as the Town continues to prioritize resourceful measures to enable its business owners long-term viability, which is an issue that is more important now than ever before. In addition, stated that the Town Council would be joined tonight by its Redevelopment Counsel,

Steve Mlenak, who would explain the specifics of the tax incentive when the ordinance is introduced;

- Announced that the first meeting of the Town's Reopening Task Force was held last week, chaired by DWC Executive Director Bob Zuckerman. They are reviewing options for reopening properly to balance the needs of the business community with that of public health. Stated that the Town is considering closing certain streets to allow for expanded restaurant capacity and greater social distancing, but it must be weighed against the potential business impact on curbside/pick up service. Input from all stakeholders would be considered before any decisions are made, and numerous options are expected on a trial basis until the right one is found;
- Reminded artists in the community that Thursday is the deadline to submit design concepts for the Public Art Commission's first temporary installation called Art Takes Flight. The project would entail 30 sponsored fiberglass butterflies, one for each decade of Westfield's 300 years, to be set on concrete pedestals or affixed to trees throughout Town this summer. At the conclusion of the exhibit, some butterflies would be auctioned off to fund future public art installations, and some would be permanently installed in the Town's parks. Thanked the Public Arts Commission for their vision and hard work and feels a very meaningful installation is anticipated in the coming weeks. Provided a website address for those interested in additional information;
- Announced that the Girls' Night Out annual event would become Girls' Night In this year due to the pandemic and would include shopping, connecting with friends, and experiencing some of downtown businesses' special offers. The event would be held May 28 and all details for the pre-party Zoom registration and merchant offers could be found on the DWC website
- Announced that the governing body would be voting on the 2020 Municipal Budget tonight and referenced the budget presentation provided during the April 28 Town Council meeting. Explained that this budget reflects significant revenue uncertainty stemming from unknown future tax collection rates and lost revenue from sources such as parking, courts, construction, investments, and the pool. Because the full extent of the COVID-19 impact on the 2021 budget is difficult to predict, it must be considered now, and the Town would need to adapt as the reality of its finances takes shape. As a result, expenses have been cut by 1.3%, despite a 2.3% increase in non-discretionary costs, which is the first budget reduction in eight years. The Town is prepared to make additional cuts if necessary, as revenue is monitored throughout the year. The proposed 1.95% municipal tax increase equates to \$55 on an average assessed home. When considered with last year's zero percent increase, and .5% in 2018, the three-year average increase for residents is .8%, or \$24/year. This year, the municipal increase would be more than offset by a \$125 reduction in the County tax on the average assessed home. Explained that the Town's priority remains balancing ongoing progress on popular improvements for parks, paving, and infrastructure, with the continued need to anticipate and manage potential revenue shortfalls, while maintaining a healthy and reasonable surplus. Thanked the Finance Policy Committee, led by Councilwoman Habgood, for its perseverance and resolve in developing this budget not once, but twice, in order to find the best path forward;
- Lastly, announced that in light of the positive trends seen in the community, the Town anticipates lifting additional restrictions regarding the use of its parks in the next few days. Explained that the Town is shifting from saving people to serving people and would be increasingly focusing its efforts on how to operate in a new normal. Explained that she does not anticipate that this virus has or is going away, but feels if everyone works together, exercises good judgment, and makes decisions that are considerate of others, the Town should be able to ensure a manageable caseload that would yield the best outcome for the community. Thanked residents again for their ongoing cooperation and consideration of others.

APPOINTMENTS

ADVERTISED HEARINGS

“2020 SPECIAL IMPROVEMENT DISTRICT BUDGET.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

“2020 MUNICIPAL BUDGET.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippo and seconded by Councilman Contract, Council approved the Minutes of the Town Council Regular Meeting held May 12, 2020.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Boyes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$306,357.10 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman Parmelee, were unanimously adopted with Councilman LoGrippo voting against Resolution No. 115.

Resolution No. 109

WHEREAS, Eric Colby, 316 Hazel Avenue, Westfield, NJ has placed the required cash bond of \$500.00 to cover Road Opening Permit No. 19-106 for 316 Hazel Avenue, and

WHEREAS, Eric Colby has requested that this amount be returned, and

WHEREAS, the Town Engineer has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Eric Colby, 316 Hazel Avenue, Westfield NJ 07090.

Resolution No. 110

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Sandy West 448 Birch Place Westfield, NJ 07090	#195 Membership Refund/Pool 03-55-920-202	Pool Membership 2020 Resident/Family of 4 or Less	\$420.00

Michael Hooper 764 Belvidere Ave Westfield, NJ 07090	#195 Membership Refund/Pool 03-55-920-202	Pool Membership 2020 Resident/Family of 4 or less	\$420.00
David Cheney 24 Carol Road Westfield, NJ 07090	#195 Membership Refund/Pool 03-55-920-202	Pool Membership 2020 Resident/Family of 5 or more	\$520.00
Evan Siegel 5 Fairhill Road Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Cancelled Jr. Tennis/Spring- Level 1/Tue-5:30 Sadie Siegel	\$118.00

Resolution No. 111

WHEREAS Joe Rizzo, Developer of real property located at 645 Hillcrest Avenue, Westfield, New Jersey, posted an escrow with the Town to guarantee the restoration of the road surface as required by ordinance, and

WHEREAS the Municipality made certain amendments to the ordinance, through the adoption of General Ordinance No. 2169, which removed the requirement for full-width repaving on roads older than 7 years, and

WHEREAS, the developer has requested that the escrow originally posted for this improvement be refunded due to the amendment to the ordinance.

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a warrant in the name of Joe Rizzo, for the release of previously held escrow monies, in the total amount of \$9,500.00 and forward same to 237 North 20th Street, Kenilworth, NJ, 07033.

Resolution No. 112

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier	Quarter/Year
<u>Name</u>	<u>Amount</u>
<u>Property Address</u>	
2706/1	Sewer/2020
Estate of Salvatore Petruccelli	\$30.10
Attn: Cristina Sorrell, Executrix	
8542 Easton Ridge Place	
Chesterfield, VA 23832	

Resolution No. 113

WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 26th day of May, 2020, as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2020 is hereby set at \$180,889,469.14

- 3. In accordance with the law, the third installation of 2020 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

<u>2020 CERTIFICATION</u>	
Municipal	\$28,538,573.97
School	106,150,449.00
Library	2,700,446.17
County	39,587,272.84
Open Space	<u>1,218,257.15</u>
Totals	\$178,612,999.13

Divided by the assessed value of \$8,259,350,694

= Tax rate of 2.163

Resolution No. 114

WHEREAS, the position of Plumbing Subcode Official has become available within the Town of Westfield: and

WHEREAS, Gary Junkroft, Building Subcode Official and Inspector for the Town of Westfield has been acting as the Plumbing Subcode Official and Inspector since February 1, 2020, due to the retirement of the Plumbing Subcode Official and Inspector; and

WHEREAS, Frank Vuoso, Construction Official has recommended that Gary Junkroft, be appointed as Plumbing Subcode Official and Inspector; and

WHEREAS, Mr. Junkroft possesses the necessary licenses (#009552) to serve as Plumbing Subcode Official and Inspector; and

NOW, THEREFORE BE IT RESOLVED, that Town Council hereby concurs with the recommendation of the Construction Official and be and hereby approves the appointment of Gary Junkroft as Plumbing Sub Code Official effective retroactive to February 1, 2020; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Community Affairs, Office of Regulatory Affairs.

Resolution No. 115

BE IT RESOLVED that as attestation of compliance has been provided pursuant to NJSA 40A:4-8 (1a) and (1b) the 2019 Municipal Budget may be read by title.

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Contract was adopted by the following roll call vote:

Resolution No. 116

BE IT RESOLVED by the Town Council of the Town of Westfield, County of Union, that the Special Improvement District Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of

\$416,347.00 for Special Improvement District Purposes

Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Dardia was adopted by the following roll call vote:

Resolution No. 117

BE IT RESOLVED by the Council of the Town of Westfield, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$28,538,573.97 (Item 2, below) for municipal purposes, and \$2,700,446.17 (Item 3, below) for Minimum Library Levy and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

1. General Revenues	
Surplus Anticipated	\$4,505,000.00
Miscellaneous Revenues Anticipated	12,091,832.03
Receipts from Delinquent Taxes	950,000.00
2. Amount to be Raised by Taxation for Municipal Purposes	28,538,573.97
3. Amount to be Raised by Taxation - Minimum Library Levy	<u>2,700,446.17</u>
Total Revenues	<u><u>\$48,785,852.17</u></u>
4. <u>General Appropriations</u>	
Within "CAPS"	
Operating including Contingent	\$30,561,049.14
Deferred Charges	4,289,404.00
Excluded from "CAPS"	
Operations	8,001,038.03
Capital Improvements	100,000.00
Municipal Debt Service	3,209,361.00
Deferred Charges-Municipal	145,000.00
Reserve for Uncollected Taxes	2,480,000.00
Total General Appropriations	<u><u>\$48,785,852.17</u></u>

Yeas: Habgood

Parmelee

Katz

Mackey

Contract

Dardia

Boyes

Mayor Brindle

Nays: LoGrippto

Absent:

2020 Municipal Budget comments:
The Town Administrator thanked all for their support of the 2020 Municipal Budget and explained that the budget is a plan which may change as the year progresses. Also announced that a copy of the adopted budget and the User Friendly Budget would be posted to the Town’s website. Also thanked department heads and staff for their efforts with the budget.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee**General Ordinance No. 2171**

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2171- AN ORDINANCE PROVIDING FOR THE IMPLEMENTATION IN THE TOWN OF WESTFIELD OF THE “FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW” PURSUANT TO N.J.S.A. 40A: 21-1.

The motion was seconded by Councilman Katz.

Steve Mlenak, Redevelopment Counsel, provided an overview of General Ordinance No. 2171 prior to a vote being called. Discussed the state statute as it relates to the designation of a rehabilitation area and how eligible property owners could benefit from tax abatements that are provided in connection with a rehabilitation designation. Explained that there are different variables as to how a property owner could obtain one of the tax exemptions provided, which are dependent upon the use of the property. Property owners are eligible for an exemption by making improvements to their property, by making new construction to the property or by converting another use to the property, with the exemption generally being based upon the value of the improvement. Further explained that the abatement is for a period of five years and explained how the abatement is phased in over this period. Stated that the Town does not lose any revenue as a result of the abatement because the property owner would pay property taxes based upon the prior year plus 20% of the improved value. In year two, 40% of the improved value would be paid, followed by 60% the following year, then 80% with the full assessed value being paid in year six. Property owners who are interested may opt-in to the program, and the Town would see higher property values because it incentivizes property owners to improve their properties.

Mr. Mlenak also discussed the process for property owners to apply for a tax abatement and those which would require Town Council approval. Feels it is a great incentive for downtown businesses to share in the growth and vitalization of the Town. Also discussed a meeting held with downtown business owners several months ago and their support for the rehabilitation designation.

Mayor Brindle asked Mr. Mlenak to discuss how this designation has been used as a tool throughout the state.

Mr. Mlenak discussed the difference between a redevelopment designation and rehabilitation designation and explained that the Town’s downtown area was delineated as an area in need of rehabilitation solely because of its aging infrastructure. Explained that it is very common for municipalities with older downtowns like Westfield to utilize this law because there is very little downside for both the municipality and the property owners, and it has been done in many municipalities with great success.

Councilman LoGrippo stated that he has heard from residents who feel this program is a “sweetheart” deal for developers, but residents who improved their properties are taxed at a higher rate.

Mr. Mlenak explained that both residential and commercial properties would pay the same tax rate. The benefit to residents outside of the rehabilitation delineation is that the assessed value for the commercial properties in Town would be increased which spreads the financial onus from the residential properties to these commercial properties.

Councilman LoGrippo requested clarification as to the timeframe in which residents would see this benefit.

Mr. Mlenak explained that the assessed value would increase immediately once the improvements are made with a portion of the new assessed value being paid in year one with incremental increases over a five-year period.

Mayor Brindle feels it is also dependent upon those who feel a vibrant downtown would benefit the Town as a whole. Believes investments in Downtown Westfield have been clearly lacking with nothing to incentivize a property owner’s willingness to invest. Feels if this program provides that incentive, the entire Town would benefit. Also feels if the Town were to make this delineation

town-wide, it would risk losing tax revenue because there are residents that would improve their properties irrespective of this program.

Councilwoman Habgood referred to Councilman LoGrippe's comment that this program would benefit developers. Explained that the program benefits downtown property owners and landlords because it provides incentive to improve their properties. In addition, property improvements would also increase a landlord's ability to rent his/her property because the space would be modernized, thereby broadening the range of interested tenants.

Mr. Mlenak explained that the primary focus of the program is the property owners, but it could benefit developers if they were to purchase a property within the rehabilitation delineation. Also feels this could be another benefit of the program because it might enable a property owner to sell to someone with the capital to make improvements to the property that the current property owner might otherwise be unable to do. In addition, mentioned that both the statute and the ordinance have safeguards within them to protect against improvements that are not true improvements.

Councilwoman Habgood also feels it would attract more people downtown.

Mr. Mlenak feels that this is why many municipalities take advantage of the statute. It provides not only an opportunity for the Town to increase its ratables, but an improved façade also attracts more people to shop and walk in its downtown.

Councilman LoGrippe explained that many residents feel the improvements would also provide property owners with an opportunity to increase their rents. Stated that he agrees with Mayor Brindle that everyone wants a vibrant downtown but some residents feel it is unfair that a downtown property owner is being offered a tax break while residents are not.

Mayor Brindle stated that she does not feel it is a tax break but a tax incentive because it is encouraging property owners to make improvements that they otherwise might not do. Feels Councilman LoGrippe should explain to those residents who have expressed concern with this initiative that there has been an unwillingness by downtown property owners to improve their properties. Feels this program is not a tax break but an incentive to invest in the community which ultimately benefits everyone.

Councilman Parmelee asked Mr. Mlenak to explain the difference between this program and a PILOT program.

Mr. Mlenak explained that this program still requires that property owners pay the current tax rate along with a percentage of the increased value whereas a PILOT program is a full tax exemption. Further explained that the difference between the two programs is the sharing of receivables. In this instance, the Town is sharing its receivables with the county and the school district, but with a PILOT program, the Town retains 95% of the payment that is made.

Councilman Parmelee stated that based upon the phased-in formula described by Mr. Mlenak, the Town would begin to see tax revenue in the first year with increases incrementally throughout the five-year period.

Mr. Mlenak stated that Councilman Parmelee is correct and that the Town would not be reducing its tax base, but increasing it incrementally, with the phase-in formula being the most common.

Councilman Parmelee feels this program allows current and future property owners to share in the redevelopment of the downtown.

Councilman Dardia asked if this program allows for the improvement of sidewalks.

Mr. Mlenak explained that it depends upon who owns the sidewalks.

Mayor Brindle stated that sidewalk improvements and maintenance are the responsibility of the property owner and believes this program could potentially include sidewalk improvements.

Mr. Mlenak explained that sidewalk repairs are usually not considered improvements but maintenance of something that already exists and therefore might not necessarily be an improvement that increases value. A sidewalk improvement might be eligible for the program if the improvement involved something being added, not simply maintenance.

Councilman LoGrippe asked why properties outside of the Special Improvement District were not included in the delineation.

Mayor Brindle explained that because this is an initiative that is new to the Town, it was decided that it would be best to focus on an area that could be easily controlled. If the program is successful, she believes it could be expanded to other areas.

General Ordinance No. 2171 was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays: LoGrippe	Absent:
Parmalee		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2171 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of June 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

COMMITTEE REPORTS

Code Review and Town Property Committee

Councilwoman Mackey provided an update of a recent meeting of the Code Review and Town Property Committee and discussed recommendations for various ordinances as follows:

- Amendments to the current modular home ordinance to address certain fees and storage timeframes;
- Amendments to the current short-term rental ordinance, which would require Planning Board review;
- Amendments to the Land Use Ordinance as recommended in the Master Plan Reexamination Report. Mentioned that these amendments would also require Planning Board review and involve:
 - Removing a reference to “private summer house”;
 - Amending sign regulations which removes the prohibition for wall mounted signs on the street facing wall without a main entrance; and
 - An amendment providing for minimum dimensions for garage parking spaces.
- Amendments to the current Historic Preservation ordinance to comply with state historic preservation code and to encourage historic designations. This ordinance would also require Planning Board review; and
- Amendments to the current regulations for solar panels to allow for the installation of panels on the street facing side of residences provided certain requirements are met. This ordinance would also require Planning Board review.

The Town Administrator discussed the timeframe for introduction of these ordinances and stated that the Town Attorney’s office has prepared drafts and believes they all could be scheduled for introduction on June 9, 2020.

Public Works Committee

Councilman Contract provided an update of a recent Public Works Committee meeting and provided the following report:

- Referred to Councilwoman Mackey's report of the Code Review and Town Property Committee and thanked the committee as well as the Green Team for their efforts concerning the revisions to solar panel regulations;
- Provided an update on the following sustainable initiatives:
 - Announced that the Town is proceeding with the installation of at least 2 free EV Chargers in Municipal Lot No. 1, which is located next to Trader Joes, in partnership with Volta;
 - Informed residents that the Town plans to install a demonstration rain garden at Tamaques Park in the fall next to the parking lot near the tennis courts. Explained that this project is being done with the assistance of the Rutgers Cooperative Extension and the Department of Public Works. Feels it would be a great way to educate residents on how rain gardens absorb storm water and prevent harmful runoff and minimize flooding;
 - Discussed plastic bag recycling and stated that, like many residents, he was disappointed that this program was closed because local supermarkets would no longer accept the volume of bags that was being collected. Stated that the Town is exploring several options for restoring this program and hopes to announce a replacement program soon. Thanked Maite Quinn-Richards for her efforts with this program;
 - Announced that the Town would be launching tennis ball recycling at the Conservation Center and encouraged residents to bring their "dead" tennis balls to the bin in one of the recycling sheds. Reminded residents that a permit to recycle at the Conservation Center is not required;
- Discussed capital improvements and announced that approximately 11 miles of roads would be paved this year in partnership with Elizabethtown Gas and thanked the Town Administrator and the Town Engineer for their efforts in building a relationship with Elizabethtown Gas. Also stated that the Town is hoping to move forward with its own paving program this year, depending upon funding availability. The Pavement Management/Assessment Report that was completed in 2019 would be utilized to determine the roads to be included in the program;
- Informed residents that the Town Council expressed support for an ordinance establishing a Government Energy Aggregation Program (GEA). Explained that this program would allow the Town to bid for electrical supply for all residences in Town in effort to reduce electrical supply costs for residents, and to shift the supply to 50-100% renewable sources. The process would involve the Town issuing an RFP for a consultant who would handle this program at no cost to the Town. Also discussed other municipalities that have implemented this program, resulting in approximately 10-15% in savings to residents.

Councilman LoGrippo referenced Councilman Contract's comments concerning the GEA program and feels it is important to emphasize that all residences are automatically included in the program and those who do not wish to participate must opt-out.

Councilman Contract stated that Councilman LoGrippo is correct and residents who do not want to participate would be able to opt-out of the program online. Explained that the reason all residences are included is because the program only works if all electrical demand is included.

Councilman Katz asked Councilman Contract if costs could potentially increase with this program.

Councilman Contract stated that there is typically 10-15% percent savings in PSE&G territories.

Councilman Dardia stated that he supports the program but would not be able to participate because he had solar panels installed on his home..

Councilman Katz feels the savings realized through the GEA Program is a way to offset the increase in the sewer fee that was implemented earlier this year.

Councilman LoGrippo discussed his experience with this program during his employment with the Board of Public Utilities and stated that there are pros and cons to the program and stated that at that time, PSE&G continued to have the lowest renewable energy rates.

Councilman Contract explained that the market has changed in the last 2-3 years and stated that he has spoken with several consultants that perform this service. As per one of these consultants, electricity usage is down but the supply has remained constant. As such, there is a “glut” of electricity and he feels the Town might be able to move forward more quickly and realize more savings for residents because suppliers need more users. Also mentioned that over 120 municipalities participate in this program.

Councilman LoGrippo referred to the Township of Livingston and asked for information concerning their percentage of reusables.

Councilman Contract believes Livingston was able to increase its percentage from 25 to 100 through its GEA agreement.

Councilman LoGrippo asked if the rates obtained by Livingston were lower than PSE&G’s rates.

Councilman Contract believes Livingston saved 10-12% and also discussed the percentage of savings realized as compared to JCP&L. Feels the program is a “no-brainer” despite the fact that residents are automatically enrolled because they have the ability to opt-out if they chose.

Councilman LoGrippo explained that when the program first started, residents were required to opt-in, but in order to obtain better rates, the program was changed, and all residences were automatically enrolled.

Councilman Contract also provided an update on Lifelong Westfield initiatives as follows:

- Discussed Westfield 300 Milestone Awards which would include both residents and business owners. A survey is available online and would include categories such as number of years residing or owning a business in Westfield, how many generations of family have lived in Town, the number of years married, number of grandchildren, and longest running business. Feels this would be a fun way of celebrating important milestones as part of the Town’s 300th celebration and announced that the survey ends June 15;
- Discussed Lifelong Westfield’s “Seniors for Seniors” program which involves senior citizens offering any advice they would like to share with the 2020 graduating seniors by emailing westfieldnjseiors@gmail.com; and
- Thanked Lifelong Westfield members who have been calling Westfield senior citizens each week to check in on them during the pandemic, and mentioned that virtual chats have been held each Friday.

The Town Administrator referred to Councilman Contract’s report of capital improvements and added that utility work has been conducted by both New Jersey American Water and Elizabethtown Gas on West Broad Street and that West Broad Street would be paved later this year by Union County.

Code Review and Town Property Committee (continued)

Councilwoman Mackey also discussed additional ordinances recommended by the Code Review and Town Property Committee, which include an ordinance to amend noise regulations.

Explained that this amendment would reduce the hours for use of mechanical equipment from 9:00 AM to 8:00 PM on Sundays to 9:00 AM to 5:00 PM. In addition, ordinances to formally establish ad hoc committees including the Senior Advisory Council (Lifelong Westfield) and the Mental Health Advisory Council are recommended.

Councilwoman Habgood referred to the formal establishment of the Mental Health Advisory Committee and mentioned that May is Mental Health Awareness Month. Also stated that she hopes residents have seen the letters written by members of the Mental Health Advisory Council that have appeared in the newspaper regarding CAKE (Compassion, Acceptance, Kindness and Empathy), which are behaviors the council is encouraging everyone to live by. Invited residents that witness “CAKE” behavior to email them to CAKE@westfieldnj.gov, as they will be memorialized in future events. Also asked Councilman Contract to encourage Lifelong Westfield members to email notes in connection with their “Friday Night chats” to the CAKE email address.

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Contract at 9:15 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk